

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	Case No. 23-21947-JAD	
	:		
JAMES F. THOMAS, II,	:	Chapter 13	
Debtor	:		
	:		
vs.	:	Doc. # 42	FILED 12/11/23 10:29 am CLERK U.S. BANKRUPTCY COURT - WDPA
	:		
EDUCATION CREDIT MANAGEMENT CORPORATION	:		
	:		
Movant	:		

**CONSENT ORDER OF COURT REGARDING OBJECTION TO CONFIRMATION OF
PLAN DATED SEPTEMBER 14, 2023**

AND NOW, to wit, this 11th day of December, 2023, with respect to Movant's
Objection to the Confirmation of Plan Dated September 14, 2023, and upon consent of the
parties, it is hereby ORDERED, ADJUDGED and DECREED, as follows:

1. The student loan debt of ECMC identified in Proof of Claim No. 3 is non-dischargeable and any balance due to ECMC upon successful completion of the Debtor's Chapter 13 plan dated September 14, 2023 will not be discharged unless and until Debtor successfully seeks discharge either through an adversary proceeding or an administrative proceeding.
2. Despite the claim of ECMC being listed in Section 5.2 of the Debtor's Chapter 13 Plan, the debt to ECMC shall not be considered to be cured and/or reinstated upon successful completion of the Chapter 13 Plan by the Debtors.
3. Aside from the foregoing, the treatment of the claim of ECMC in the Debtor's Chapter 13 Plan and in the Order confirm Debtor's Chapter 13 Plan shall remain unchanged.

CONSENTED TO BY:

/s/ Jana S. Pail

Jana S. Pail, Esquire
Attorney for Debtor

/s/ John M. Quain Jr.

John M. Quain Jr., Esquire
Attorney for ECMC

SO ORDERED:

A handwritten signature in black ink, appearing to be "JD", is written over a horizontal line. To the right of the signature, the letters "jsf" are printed.

Hon. Jeffery A. Deller
United States Bankruptcy Judge

In re:
James F. Thomas, II
Debtor

Case No. 23-21947-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Dec 11, 2023

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 13, 2023:

Recip ID	Recipient Name and Address
db	+ James F. Thomas, II, 1048 Scenic Drive, Coal Center, PA 15423-1157

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 13, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 11, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor BANK OF AMERICA N.A. bnicholas@kmlawgroup.com
Jana S. Pail	on behalf of Debtor James F. Thomas II jpail@wtplaw.com, llescallette@wtplaw.com
Jeffrey R. Hunt	on behalf of Creditor Clairton City School District jhunt@grblaw.com
Jeffrey R. Hunt	on behalf of Creditor County of Allegheny jhunt@grblaw.com
Jill Manuel-Coughlin	on behalf of Creditor BANK OF AMERICA N.A. bankruptcy@powerskirn.com
John Michael Quain, Jr.	on behalf of Interested Party ECMC jqain@barley.com jfrench@barley.com

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Karina Velter

on behalf of Creditor BANK OF AMERICA N.A. karina.velter@powerskirm.com, Kaitlyn.Pemper@powerskirm.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

TOTAL: 9